

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**IN RE NEW MOTOR VEHICLES  
CANADIAN EXPORT ANTITRUST  
LITIGATION**

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**CIVIL NO. 03-1532-P-H**  
[MDL NO. 1532]

In these lawsuits, purchasers of new automobiles have sued American and Canadian automobile manufacturers, distributors and dealers' associations. They claim that an unlawful conspiracy existed among the defendants to prevent new motor vehicles sold in Canada from being imported to the United States. The defendants deny these assertions. Lawsuits making these claims in various federal courts around the country have been transferred to Maine for pretrial proceedings before United States District Judge D. Brock Hornby. The parties have agreed that the transferred actions (and any claims filed in Maine) will remain in Maine following pretrial proceedings, for final trial preparation and trial.

On March 28, 2008, the Court of Appeals for the First Circuit dismissed the remaining federal claim because the changing exchange rate has removed the threat of future federal injury. The Court of Appeals remanded the issue of class certification for the 20 state law damage claims (Arizona, Arkansas, California, Idaho, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, South Dakota, Tennessee, Vermont, West Virginia and Wisconsin) for reconsideration upon completion of discovery.

The proceedings continue before Judge Hornby. Settlements with Toyota Motor Sales, U.S.A., Inc. and Canadian Automobile Dealers Association (CADA) are pending approval from the court. Discovery closed on March 3, 2008. The defendants have filed motions for summary judgment (the briefing will be complete by July 16, 2008). The plaintiffs' motions for re-certification of the 20 state law

damage classes are due by June 30, 2008. Hearings on these motions may follow, if necessary.

For more information, contact Local Liaison Counsel.

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